

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DOUGLAS EL : CIVIL ACTION
vs. :
SOUTHEASTERN PENNSYLVANIA : NO. 02-CV-3591
TRANSPORTATION AUTHORITY :
:

ORDER

AND NOW, this day of January, 2004, upon consideration of Plaintiff's Motion for Permission to Propound More than 25 Interrogatories and Defendant's Response thereto, it is hereby ORDERED that the Motion is GRANTED and Plaintiff is given retroactive permission to propound those "merits" and "class certification" interrogatories previously served upon the defendant.¹

¹ In so holding, we find that plaintiff's interrogatories generally seek information which appears relevant and reasonably calculated to lead to the discovery of admissible evidence in this matter, particularly in light of the arguments advanced in the defendant's motion for summary judgment. See, e.g., Fed.R.Civ.P. 26(b)(1). While we would agree with Defendant that many of Plaintiff's interrogatories could be consolidated, we can only assume that Plaintiff's counsel was endeavoring to comply with Fed.R.Civ.P. 33(a) which includes "all discrete subparts" within the 25-interrogatory limit. However, we do not find this case to be unduly complex or unusual and see no reason to grant Plaintiff any further relief from Rule 33(a). Thus, Mr. El's request for permission to propound up to 75 interrogatories is denied.

BY THE COURT:

J. CURTIS JOYNER,

J.